

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARISSA BROWN,

Plaintiff,

USDC SDNY  
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DATE FILED: 5/6/2025

23-cv-9895 (PAE) (KHP)

-against-

ORDER

RICHARD TROVATO,

Defendant.

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**KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE**

On April 24, 2025, Defendant filed a Letter Motion requesting “the Court’s permission to conduct a limited deposition of the plaintiff’s expert witness without incurring any associated costs” because he is without the financial means to pay said costs. (ECF No. 126) On April 25, 2025, Plaintiff filed a letter opposing Defendant’s request and arguing that “Defendant’s lifestyle directly contradicts his assertion that he is, as he states, ‘without financial means.’” (ECF No. 127) In that letter, Plaintiff also requested a hearing to determine whether Defendant is in fact without the financial means to compensate Plaintiff’s expert witness. (*Id.*) On April 26, 2025, Defendant filed reply to Plaintiff’s response and further substantiating his position. (ECF No. 128) On April 28, 2025, Plaintiff filed a sur-reply and further substantiated her position. (ECF No. 129)

The Court has reviewed the parties’ filings and requires additional information from Defendant to make a determination on his request. **By May 13, 2025**, Defendant shall provide the Court with an estimate of the cost associated with the expert’s fee for taking his deposition and a sworn affidavit detailing Defendant’s financial condition. The Court advises Defendant that if he wishes to be considered for *in Forma Pauperis* (IFP) status, he shall promptly file a

request to proceed as such with the Court. Finally, the Court does not believe that a hearing on Defendant's financial condition is needed, and therefore, Plaintiff's request for a hearing is denied.

**SO ORDERED.**

Dated: May 6, 2025  
New York, New York

*Katharine H Parker*

KATHARINE H. PARKER  
United States Magistrate Judge